

UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

ROBERT DELLAIRO,
Plaintiff

v.

TIMOTHY GARLAND,
Defendant

Civil No. 02-42-B-C

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge having filed with the Court on May 7, 2003, with copies to the *pro se* Plaintiff and to counsel, her Recommended Decision (Docket Item No. 53) in the above-entitled matter; and the time for filing objections thereto having expired without any objections having been filed; *see* 28 U.S.C. § 636(b)(1); and this Court having reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; and having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and this Court concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in her Recommended Decision, and having determined that no further proceeding is necessary; it is **ORDERED** as follows:

- (1) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**;
- (2) Defendant's motion for summary judgment is hereby **GRANTED**.

GENE CARTER
Senior United States District Judge

Dated at Portland, Maine this 30th day of May, 2003.

[Counsel List follows.]

Plaintiff

ROBERT DELLAIRO

represented by **ROBERT DELLAIRO**
MAINE STATE PRISON
807 CUSHING ROAD
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PRO SE

V.

Defendant

TIMOTHY GARLAND

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RICHARD CLUKEY

TERMINATED: 03/27/2002

CHERYL GALLANT

TERMINATED: 03/27/2002